

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

PURE WATER COMMITTEE OF  
WESTERN MARYLAND, INC. et al.

Plaintiffs

v.

MAYOR AND CITY COUNCIL OF  
CUMBERLAND, MARYLAND, et al.

Defendants

Case No. JFM 01 CV 2611

STIPULATION OF DISMISSAL

Plaintiffs and Defendants, by and through their undersigned counsel,  
stipulate, pursuant to Fed. Civ. Pro. 41(a)(1) to the dismissal of Leslie Cross,  
Roy DeVault, William B. Bennett, Twila Bennett and William C. White as Plaintiffs  
in the above-referenced action.

TROZZO, LOWERY & WESTON

By

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*Approved  
12/11/01  
2/27/02*

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STIPULATION OF PLAINTIFFS AND DEFENDANTS

Plaintiffs and Defendants, by and through their undersigned counsel, enter into this Stipulation in order to resolve a discovery dispute that has arisen in connection with the Plaintiffs' Responses to the Defendants' Interrogatories and Requests for Production of Documents:

1. The Defendant, City of Frostburg, asked in Interrogatories propounded to the individual Plaintiffs the following:

INTERROGATORY NO. 3: Identify and provide the address for each and every dentist from whom you have received dental treatment in the last twenty (20) years.

ANSWER: On advice of counsel, I respectfully decline to answer this question as it lacks relevancy to the pending proceeding.

INTERROGATORY NO. 4: Identify each and every physician or health care provider from whom you have sought treatment in the last twenty (20) years.

ANSWER: On advice of counsel, I respectfully decline to answer this question as it lacks relevancy to the pending proceeding.

2. The City of Cumberland likewise has filed Interrogatories and served them on the individual Plaintiffs as follows:

INTERROGATORY NO. 3: Identify and provide the address for each and every dentist for whom you received dental treatment in the last twenty (20) years.

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ANSWER: On advice of counsel, I respectfully decline to answer this question as it lacks relevancy to the pending proceeding.

INTERROGATORY NO. 4: Identify each and every physician or health care provider from whom you have sought treatment in the last twenty (20) years.

ANSWER: On advice of counsel, I respectfully decline to answer this question as it lacks relevancy to the pending proceeding.

3. The Defendants have asserted that the information sought from the Plaintiffs is relevant or may lead to the discovery of admissible evidence and have requested that the Plaintiffs respond to the Interrogatories. The Plaintiffs have asserted that they raise no contention that the introduction of fluoride into the drinking water of either the City of Cumberland or the City of Frostburg has resulted in or will result in a physical injury to the Plaintiffs. To the extent that Plaintiffs disclaim any physical injury to them from the introduction of fluoride into the drinking water, the Defendants are prepared to accept such a stipulation and forego further litigation and proceedings with regard to the adequacy of the Plaintiffs' response to these discovery requests.

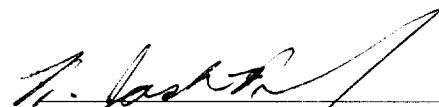
4. In view of the foregoing, the Plaintiffs and Defendants, by and through their undersigned counsel, stipulate that for purposes of this proceeding and lawsuit, Plaintiffs do not contend that the introduction of fluoride into the water system of the City of Cumberland or the City of Frostburg has resulted or will result in a physical injury to the Plaintiffs.

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